



Attorney Docket No. P400750

IN THE UNITED STATES DEPARTMENT OF COMMERCE
UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Lawrence O'Gorman)	
)	Mail Stop:
Serial No.: 10/089,987)	Petitions
)	
Filing Date: April 5, 2002)	
)	
Title: SPOOF DETECTION FOR BIOMETRIC)	
SENSING SYSTEMS)	
_____)	

PETITION TO REISSUE OFFICE COMMUNICATION
UNDER 37 CFR §1.181

Applicant submits its petition under 37 CFR §1.181 to request that the Office Communication dated October 26, 2005 be reconsidered as issued, be reissued and the enclosed reply entered in response thereto.

The facts upon which this Petition is base are as follows:
On August 23, 2002, Applicant's attorney, Lyon & Lyon LLP (Lyon) (Customer No. 22249) submitted a Request for Withdrawal as Attorney or Agent and Change of Correspondence Address (see Attachment A) for the application referenced in the above caption due to the dissolution of the Lyon firm through bankruptcy proceedings. Lyon provided the correspondence address for client as:

PassBiometrix, Inc., d/b/a Veridicom, Inc.
1248 Reamwood Avenue
Sunnyvale, CA 94089

In its Decision on Request to Withdraw as Attorney (see Attachment B) dated November 20, 2002, the USPTO granted the request and noted that future communications would be sent to the above address in Sunnyvale, CA. The first Office Communication dated April 14, 2005 (see Attachment C) issued from the USPTO and was mailed to the Sunnyvale, CA address. The Communication was returned to the USPTO as "FORWARDING ORDER EXPIRED" (see Attachment D) on April 25, 2005. The Sunnyvale, CA address was no longer valid for Veridicom, Inc.

On June 29, 2005 Veridicom, Inc. prepared and filed from their offices in Seattle, WA, a Power of Attorney and Correspondence Address Indication Form (see Attachment E) which contained the correct Customer Number 46155 for Vierung Jentschura & Partners but the Veridicom, Inc. mailing address, phone number and e-mail address. The document was signed by Paul Mann, CEO, Veridicom, Inc., followed by Mr. Mann's direct line telephone number.

Notice of Acceptance of Power of Attorney dated October 26, 2005 (see Attachment F) was mailed to Veridicom, Inc. in Seattle, WA. On the same date, October 26, 2005, the Office Communication (see Attachment G) was reissued to Veridicom, Inc. in Seattle, WA. One day later, on October 27, 2005, the Notice of Acceptance of Power of Attorney (see attachment H) dated October 27, 2005 was sent to Vierung Jentschura & Partners. However, the Office Communication was not sent to the new attorneys of record, Vierung Jentschura & Partners, and was not reissued in the name of Vierung Jentschura & Partners.

It is, therefore, requested that the Office Communication be considered reissued in the name of the representatives, Vierung Jentschura & Partners, Customer No. 46155 and the enclosed reply be accepted as timely filed in response thereto.

Applicant provides true and correct copies of the following documents in support of this petition and marked as:

Attachment A: REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT AND CHANGE OF CORRESPONDENCE ADDRESS (2 pages)

Attachment B: DECISION ON REQUEST TO WITHDRAW AS ATTORNEY;

Attachment C: Office Communication cover page dated 04/14/2005;

Attachment D: "Forwarding Order Expired" return envelope;

Attachment E: Power of Attorney and Correspondence Address Indication Form dated June 29, 2005;

Attachment F: Notice of Acceptance of Power of Attorney dated October 26, 2005;

Attachment G: Office Communication cover page dated 10/26/2005; and

Attachment H: Notice of Acceptance of Power of Attorney dated October 27, 2005

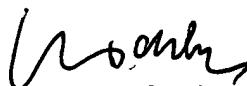
Having submitted sufficient evidence, applicant respectfully requests the Office Communication be reissued and Applicant's enclosed reply be accepted as timely filed without abandonment of the application.

However, as an auxiliary request, should the Director determine not to grant this Petition Under 37 CFR §1.181, Applicant has attached and submits:

1. Applicant's Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) form PTO/SB/64 that contains therein at #4. STATEMENT regarding unintentional abandonment;
2. Reply; and
3. Check in the amount of \$750.00.

Agent for applicant can be reached by telephone at (310) 545-9851 should the Director and/or his designee wish to discuss any issues contained herein.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. Schlee', with a stylized flourish at the end.

Alexander R. Schlee
Reg. Patent Agent No. 55,912

Dated: 01 June 2006



COPY OF PAPERS
ORIGINALLY FILED

Patent
Attorney Docket: 249/118

#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:
Lawrence O'Gorman, et al.
Serial No.: 10/089,987
Filed: April 5, 2002
For: Spoof Detection For Biometric
Sensing Systems

Group Art Unit: 2623

Examiner: Joseph Mancuso

RECEIVED

OCT 10 2002

DIRECTOR OFFICE
TECHNOLOGY CENTER 2600

RECEIVED

SEP 04 2002

Technology Center 2600

REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT AND
CHANGE OF CORRESPONDENCE ADDRESS

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Lyon & Lyon LLP, USPTO-Customer No. 22249, as well as all attorneys or agents of record in the subject application hereby apply to withdraw as attorney or agent for the above identified application.

The reasons for this request are: (1) the law firm of Lyon & Lyon LLP, Customer No. 22249, will no longer practice law after August 31, 2002 -- Lyon & Lyon LLP is dissolving; (2) each of the attorneys or agents who have filed papers on behalf of Applicant or Assignee of Interest have either left the firm, are soon to leave the firm, or have potential conflicts of interest representing Applicant or Assignee of Interest at their new place of employment; and (3) the Assignee of Interest has not indicated attorneys or agents that will be representing Applicants or Assignee of Interest going forward.

SD-173734.1

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

August 23, 2002
Date of Deposit

Tu Le
Name of Person Mailing Paper
Signature of Person Mailing Paper

ATTACHMENT A

In light of these circumstances, please change the correspondence address and direct all future correspondence to:

PassBiometrix, Inc., d/b/a Veridicom, Inc.
1248 Reamwood Avenue
Sunnyvale, CA 94089
(408) 543-4200 phone, (408) 734-0308 fax

This request is made on behalf of my self and all attorneys/agents of record, the firm of Lyon & Lyon LLP, and Customer No. 22249, if applicable.

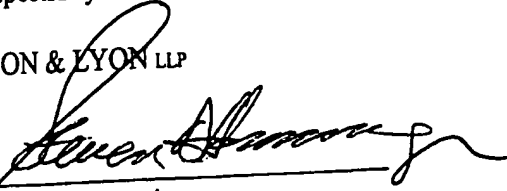
This request is enclosed in triplicate.

Respectfully submitted,

LYON & LYON LLP

Dated: 8/23/02

By:


Steven D. Hemminger
Reg. No. 30,755

Customer No. 22249



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

Paper No. 5

MAIL

NOV 20 2002

DIRECTOR OFFICE
TECHNOLOGY CENTER 2600

ION & LYON
633 WEST FIFTH STREET
SUITE 4700
LOS ANGELES, CA 90071

In re Application of
Lawrence O'Gorman, et al.
Application No. 10/089,987
Filed: April 05, 2002
For: SPOOF DETECTION FOR DIOMETRIC
SENSING SYSTEMS

DECISION ON REQUEST TO
WITHDRAW AS ATTORNEY

This is a decision on the request for withdrawal as attorney or agent filed on August 29, 2002.

A grantable request to withdraw as attorney of record should indicate thereon the present mailing addresses of the attorney(s) who is/are withdrawing from the record and of the applicant. The request for withdrawal must be signed by every attorney seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of a time to file a response or the expiration date of the maximum time period which can be extended under 37 C.F.R. § 1.136(a). The effective date of withdrawal being the date of decision and not the date of request. See M.P.E.P. § 402.06. 37 C.F.R. § 1.36 further requires that the applicant or patent owner be notified of the withdrawal of the attorney or agent.

The request is **GRANTED**.

All future communications from the Office will be directed to the address listed below until otherwise notified by applicant. Applicant is reminded of the obligation to promptly notify the Patent and Trademark Office of any change in correspondence address to ensure receipt of all communications from the Office.

Reinhard J. Eisenzopf
Reinhard J. Eisenzopf
Special Program Examiner
Technology Center 2600
Communications
(703) 305-4711

cc: PassBiometrix, Inc., d/b/a Veridicom, Inc.
1248 Reamwood Avenue
Sunnyvale, CA 94089

ATTACHMENT B



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/089,987	04/05/2002	Lawrence O'Gorman	249/118	4465

7590 04/14/2005
PassBiometrix, Inc., d/b/a Veridicom, Inc.
1248 Reamwood Avenue
Sunnyvale, CA 94089

EXAMINER

CARTER, AARON W

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 04/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

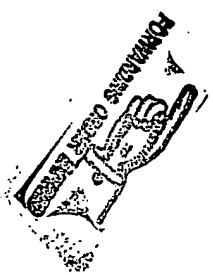
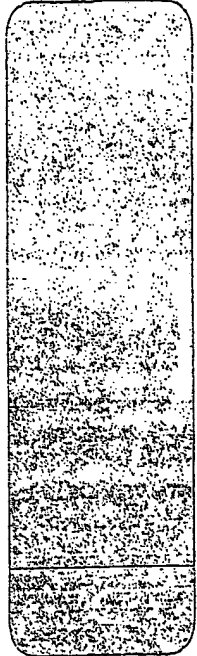
Organization **IC 2600** Bldg./Room **KNOX**
U. S. DEPARTMENT OF COMMERCE
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
IF UNDELIVERABLE RETURN IN TEN DAYS

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D004204034 APR 14 2005
MAILED FROM ZIP CODE 22314



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APR 23 2005
USPTO MAIL CENTER



IFW

PTO/SB/81 (04-05)

Approved for use through 11/30/2005. OMB 0651-0035

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	10/089,987
Filing Date	4/5/02
First Named Inventor	LAWRENCE O'GORMAN
Title	SPOOF DETECTION
Art Unit	2625
Examiner Name	AARON CARTER
Attorney Docket Number	249/118

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☐ Practitioners associated with the Customer Number:

46155

OR

☒ Practitioner(s) named below:

Name	Registration Number
VIERING, DEITSCHURA & PARTNERS	46155

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☐ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:☒ Firm or
Individual Name

VERIDICOM INC.

Address

SUITE 3800 999 THIRD AVE

City

SEATTLE

State

WA

Zip

98104

Country

USA

Telephone

800-363-1418

Email

patents@veridicom.com

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Signature

Date

JUNE 29/05

Name

PAUL MANN

Telephone

604-696-0633

Title and Company

CEO, VERIDICOM INC

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐

Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PCF

ATTACHMENT E



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/089,987	04/05/2002	Lawrence O'Gorman	249/118

Veridicom Inc.
Suite 3800
999 Third Ave
Seattle, WA 98104

CONFIRMATION NO. 4465

OC000000017326709

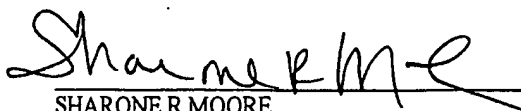
OC000000017326709

Date Mailed: 10/26/2005

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 07/05/2005.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.


SHARONE R MOORE
2600 (571) 272-7269

OFFICE COPY

ATTACHMENT F



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/089,987	04/05/2002	Lawrence O'Gorman	249/118	4465

7590 10/26/2005
Veridicom Inc.
Suite 3800
999 Third Ave
Seattle, WA 98104

EXAMINER

CARTER, AARON W

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 10/26/2005

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/089,987	04/05/2002	Lawrence O'Gorman	249/118

46155
VIERING JENTSCHURA & PARTNERS
3770 HIGHLAND AVENUE, SUITE 203
MANHATTAN BEACH, CA 90266

CONFIRMATION NO. 4465

OC000000017345158

OC000000017345158

Date Mailed: 10/27/2005

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 07/05/2005.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.


SHARONE R MOORE
2600 (571) 272-7269

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ATTACHMENT H